7. Apart from the above, certain High Courts are taking the following steps for ensuring better disposal of cases:

(a) Cases involving common questions are being grouped by several High Courts;

(b) Matters fixed for hearing by giving short returnable dates;

(c) Dispensing with printing of records;

(d) Expediting and giving priority to matters under certain Acts;

8. The recommendations contained in the 79th Report of the Law Commission have been examined. As action on majority of the recommendations is to be taken by the State Governments and the High Courts these have been sent to them along with the views of the Union Government, and they have been requested to take necessary action.

9. The Government have entrusted to the Law Commission, the study of the Judicial system to introduce necessary reforms. The terms of reference are:

(a) the need for decentralisation of the system of administration of justice by:—

(i) establishing, extending and strengthening in rural areas the institution of Nyaya Panchayats or other mechanisms for resolving disputes;

(ii) setting up of system for participatory justice with defined jurisdiction and powers in suitable areas and centres;

(iii) establishing other tiers or systems within the judicial hierarchy to reduce the volume of work in the Supreme Court and the High Courts.

(b) the matters for which Tribunals (excluding Services Tribunals) as envisaged in Part XIV-A of the Constitution need to be established expeditiously and various aspects related to their establishment and working.

(c) the procedural laws with a view generally to disposing of cases expeditiously, eleminating unnecessary litigation, delays in hearing of cases and reforms in procedures and procedural laws and particularly to devising procedures appropriate to the forum envisaged in items (a) (i) and (a), (ii).

(d) the method of appointments to Subordinate Courts|Subordinate judiciary.

(e) the training of judicial Officers.

(f) the role of the legal professions in strengthening the system of administration of justice.

(g) the desirability of formulation of the norms, which the Government and the Public Sector Undertakings should follow in the settlement of disputes including a review of the present system for conduct of litigation on behalf of the Government and such Undertakings.

(h) the cost of litigation with a view to lessening the burden on the litigants.

(i) formation of an All India judicial service and

(j) such other matters as the Commission considers proper or necessary for the purposes aforesaid or as may be referred to it from time to time by the Government.

Public Sector Units

1313. SHRI DEBENDRA NATH BARMAN:

DR. R. K. PODDAR:

Will the Minister of INDUSTRY be pleased to state:

(a) whether it is a fact that the problem of surplus staff in Public Sector Units arises out of bilateral assistance arrangements with significant say by the other country to buy the machinery thus de-

priving Public Sector Units of vital orders for full utilisation of capacity; and

(b) if so, whether these arrangements are working against the interest of Public Sector Units; and also expertise developed over the years?

THE MINISTER OF STATE IN THE DEPARTMENT OF PUBLIC ENTERPRISES IN THE MINISTRY OF INDUSTRY (PROF. K. K. TEWARY):

(a) Problem of surplus staff cannot be attributed solely to bilateral assistance arrangements with significant say by the other country to buy machinery from them.

(b) Government always ensures that such arrangements do not work against the interests of public sector units and the expertise developed over the years.

Central projects in public sector

1315. DR. R. K. PODDAR: Will the Minister of INDUSTRY be pleased to state:

(a) the number of central projects in public sector sanctioned by the Government in Amethi Parliamentary Constituency during 1982-86;

(b) the names of those projects;

(c) the total outlay for the different projects; project-wise; and

(d) the progress of each of the projects?

THE MINISTER OF STATE IN THE DEPARTMENT OF PUBLIC ENTERPRISES IN THE MINISTRY OF INDUSTRY (PROF. K. K. TEWARY): (a) to (d) The details are being collected and will be placed on the Table of the House.

Policy to discourage public sector from rushing to courts on trial issues

1316. SHRI SUBAS MOHANTY: Will the Minister of LAW AND JUSITCE be pleased to state:

(a) whether there is any policy to discourage public sector units, nationalised banks and other Governmental institutions from rushing to courts on trivial issues, thereby clogging up the courts;

(b) whether it is a fact that even trivial decisions are litigated right upto the Supreme Court by Public Sector Units on Governmental expense; and

(c) whether Government propose to issue fresh guidelines to stop such activities?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) to (c) This Ministry is administratively concerned with the conduct of litigation on behalf of the Union of India and not on behalf of public sector units, nationalised banks and other government institutions. Therefore, the question of this Ministry issuing any guidelines to public sector units does not arise. However, according to the instructions issued by the Government, disputes between a Government Department and a public sector enterprise and between one public sector enterprise and another are to be settled amicably by mutual consultation or arbitration. This would not cover disputes between a public sector enterprise and a private party. Disputes between a public sector enterprise and a private party can be referred to arbitration only by mutual consent.

Setting up of a constitution commission

1317. SHRI CHITTA BASU:

SHRI RAMKRISHNA MAZUMDER:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government propose to set up a Constitution Commission as demanded by some political parties to review the present system of Government; and